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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,611	12/22/2003	Jeffrey Todd Haselby	200309297-1	7555

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HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

BUI, HUNG S

ART UNIT	PAPER NUMBER
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2841

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08/30/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/743,611	Applicant(s) HASELBY ET AL.	
	Examiner Hung S. Bui	Art Unit 2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-12 and 14-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-9, 12 and 14-17 and 19-24 is/are rejected.
- 7) ☒ Claim(s) 10,11 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/23/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The indicated allowability of claims 4 and 15 is withdrawn in view of the newly discovered reference(s) to Turek et al. [US 2004/0077214]. Rejections based on the newly cited reference(s) follow.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a) because they fail to show "first and second output connectors" as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required

corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3-7 and 22-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Turek et al. [US 2004/0077214].

Regarding claims 1 and 22-23, Turek et al. disclose a bracket assembly (figures 1-5), comprising:

- a bracket (B, figure 1, page 2, paragraph 0035, line 3) having a bulkhead retaining portion (10, figures 1-3, page 2, paragraph 0035, line 1);
- a protective device (30, figure 3); and
- a retaining element (60, figure 3, page 3, paragraph 0042, line 10) operate to couple the protective device to the bracket, wherein the bracket further comprises a protective device mounting portion (62, figure 3, page 3, paragraph 0042, line 11) to which the protective device is coupled by the retaining portion.

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Regarding claim 3, Turek et al. disclose wherein the protective device mounting portion is a tab portion of the bracket (62, figure 3, page 3, paragraph 0042, line 61).

Regarding claim 4, Turek et al. disclose wherein the bracket further comprises a bulkhead mounting portion (34, figure 2, page 2, paragraph 0038, line 4) operable to attach to a bulkhead surface and wherein the protective device mounting portion is not in contact with the bulkhead mounting portion of the bracket (see figure 2).

Regarding claim 5, Turek et al. disclose wherein the protective device mounting portion of the bracket further comprises a protective device mounting element that in cooperation with the protective device retaining portion couples the protective device to the bracket (see figure 5).

Regarding claims 6-7 and 24, Turek et al. disclose the protective device having first and second retaining elements (60, figure 3) cooperating with first and second tab portions protruding therefrom the bracket (see figures 3-5).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8-9, 12, 14-17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Turek et al. in view of Pearsall, Jr. [US 3,965,397].

Regarding claim 8, Turek et al. disclose a cabling assembly (figures 1-5), comprising:

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- a bracket assembly (28, figure 2) having at least one protective device (30, figure 3) integral thereto;
- a connector (figures 2-3); and
- a bracket connector fastening element operable to couple the connector to a bulkhead (figures 1-2) and the bulkhead to the bracket assembly, wherein the bracket assembly further comprises a protective device mounting portion (62, figure 3, page 3, paragraph 0042, line 11) to which the protective device is coupled by a protective device retaining element (60, figure 3, page 3, paragraph 0042, line 10).

Turek et al. disclose the instant claimed invention except for the connector being a power connector.

Pearsall, Jr. discloses a power cabling assembly (figures 1-3) having at least one connector being a power connector (13, figure 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to design the connector being a power connector of Turek et al., as suggested by Pearsall, Jr., for the purpose of providing input/out power.

Regarding claim 9, Turek et al., as modified, disclose wherein the assembly may be inserted through a receiving portion of a bulkhead (40, 42 and 44, figure 3) with the exception of a portion of the “power” connector remaining external to the bulkhead.

Regarding claim 12, Turek et al., as modified, as best understood, wherein the “power” cabling assembly further comprises an output connector coupled to a plurality of cables of the assembly.

Turek et al., as modified, disclose the instant claimed invention except for the “power” cabling assembly comprising first and second output connectors.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have an additional output connector in the connector cabling assembly of Turek et al., as modified, for the purpose of providing additional power connectors to the assembly and since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.* 193 USPQ 8.

Regarding claim 14, Turek et al., as modified, disclose wherein the protective device mounting portion is a tab portion of the bracket assembly (62, figure 3, page 3, paragraph 0042, line 61).

Regarding claim 15, Turek et al., as modified, disclose wherein the bracket further comprises a bulkhead mounting portion (34, figure 2, page 2, paragraph 0038, line 4) operable to attach to a bulkhead surface and wherein the protective device mounting portion is not in contact with the bulkhead mounting portion of the bracket assembly (see figure 2).

Regarding claim 16, Turek et al., as modified, disclose wherein the protective device mounting portion of the bracket assembly further comprises a protective device mounting element that in cooperation with the protective device retaining portion couples the protective device to the bracket assembly (see figure 5).

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Regarding claim 17, Turek et al., as modified, disclose the protective device having first and second retaining elements (60, figure 3) cooperating with first and second tab portions protruding therefrom the bracket (see figures 3-5).

Regarding claims 19-21, the claim method steps would have been necessitated by the product structure as claimed in the claims 8-9, 12 and 14-17.

Allowable Subject Matter

7. Claims 10-11 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. Applicant's arguments with respect to claims 1, 3-12 and 14-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung S. Bui whose telephone number is (571) 272-2102. The examiner can normally be reached on Monday-Friday 8:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean A Reichard can be reached on 571-272-2800 ext. 31. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Hung Bui', with a long, sweeping horizontal line extending to the left.

08/20/2007

Hung Bui

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